

SN. 10/803,537

ATTORNEY DOCKET NO. NAGA:007

REMARKS

Claims 2-10 are now pending in this application for which applicants seek reconsideration. Claims 7-9 have been withdrawn

Amendment

Claim 1 has been canceled and claims 2-9 have been amended to improve their form and readability, as well as to remove the informalities identified by the examiner. Claims 2 and 3 have been placed in independent form. Claim 4 now has been amended to depend from claim 2, while withdrawn claim 7 has been amended to depend from claim 4. New claim 10, which is similar to amended claim 7 (but depending from claim 3), has been added. No new matter has been introduced.

Since withdrawn claims 7-9 depend from claim 4, which depends from claim 2, if claim 2 is allowed, claims 7-9 also should be allowed.

§ 112 Rejection

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, because claims 1 and 3 each contain a passage that is not clear. The present amendment obviates this rejection. Specifically, each of claims 2 and 3, which incorporates claim 1, no longer contains the language "said vehicle body structure wherein." Further, claim 3 now clearly recites that the coupling member has flanges extending substantially in the vertical direction of the vehicle body and that the coupling member is coupled to the rear quarter inner member.

Art Rejection

Claims 1-6 were rejected under 35 U.S.C. § 102(b) as anticipated by Roehl (USP 6,241,309). Applicants traverse this rejection at least to the extent that Roehl would not have disclosed or taught the subject matter of claims 2 or 3.

Claim 2 calls for a coupling member for coupling the rear quarter inner member to an upper surface of a rear suspension base member for reinforcement. The coupling member comprises plate members and forms a closed cross sectional structure with the wheelhouse inner member and the rear quarter inner member. The coupling member includes a seat back inner member that is joined to the wheelhouse inner member to support a seat back of a vehicle seat. Part of the seat back inner member forms the closed cross sectional structure.

Claim 3 calls for a reinforcing member having an open cross section along one of four sides thereof. The reinforcing member extends in a substantially vertical direction of the vehicle

SN. 10/803,537

ATTORNEY DOCKET No. NAGA:007

body and is joined to the rear quarter inner member. Further, the coupling member, which has flanges extending substantially in the vertical direction of the vehicle body, is coupled to the rear quarter inner member so that at least the flanges extending in the vertical direction of the vehicle body coincide with edge portions of the reinforcing member along the one side of the open cross section.

Roehl discloses left and right damper towers 16 with their lower ends attached to an upper area 34 of the associated wheel housings 11 and a side brace 20 (i.e., corresponding coupling member according to the examiner) joining the respective damper 16 to a sidewall 12 (i.e., rear inner quarter panel). Roehl further includes a supporting plate 15 extending between the damper towers along a horizontal plane and a seat back partition 25 extending between the damper towers along a substantially vertical plane. A traverse beam 19 also extends between the damper towers above the supporting plate 15. Parts of Roehl's damper towers 16, supporting plate 15, and traverse beam 19 form a closed cross-sectional structure.

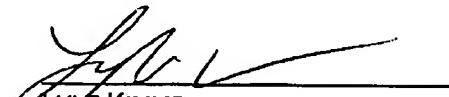
Roehl, however, would not have disclosed or taught 1) forming a closed structure with part of the seat back inner member as forth in claim 2, and 2) the reinforcing member as set forth in claim 3.

Conclusion

Applicants submit that claims 2-10 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP



15 DECEMBER 2005
DATE

LYLE KIMMS
REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

P.O. Box 826
ASHBURN, VA 20146-0826
703-726-6020 (PHONE)
703-726-6024 (FAX)